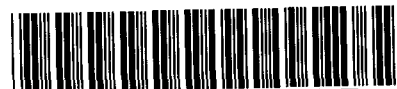


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MUNGER CHADWICK, P.L.C.

ADMITTED TO PRACTICE IN:
ARIZONA, COLORADO, MONTANA,
NEVADA, TEXAS, WYOMING,
DISTRICT OF COLUMBIA

April 16, 2009

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Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

APR 16 2009

ARIZONA CORP. COMM
400 W CONGRESS STE 218 TUCSON AZ 85701

Re: Sahuarita Water Company, LLC
Docket No. W-03718A-09-0122

To Whom It May Concern:

Enclosed for filing are the original and thirteen (13) copies of Comments on April 10, 2009 Staff Report in the above-indicated proceeding on behalf of Sahuarita Water Company, LLC.

Thank you for your assistance. Please advise me if you have any questions.

Sincerely,

Angela R. Trujillo

Secretary

Lawrence V. Robertson, Jr.

Arizona Corporation Commission

DOCKETED

APR 20 2009

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COMMISSION
DOCKET CONTROL

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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES, Chairman

GARY PIERCE

PAUL NEWMAN

SANDRA D. KENNEDY

BOB STUMP

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AZ CORP COMMISSION
DOCKET CONTROL

APR 16 2009

ARIZONA CORP. COMM
400 W CONGRESS STE 216 TUCSON AZ 85701

IN THE MATTER OF THE APPLICATION OF)
SAHUARITA WATER COMPANY, LLC FOR) DOCKET NO. W-03718A-09-0122
AUTHORITY TO INCUR LONG-TERM)
INDEBTEDNESS TO FINANCE WATER) **COMMENTS ON APRIL 10, 2009**
SYSTEM IMPROVEMENTS) **STAFF REPORT**

Pursuant to the April 10, 2009 Memorandum transmitting the April 10, 2009 Staff Report in the above-referenced and above-captioned proceeding to Docket Control, Sahuarita Water Company, LLC ("SWC") hereby submits Comments upon the aforesaid Staff Report.

SWC is fully supportive of the recommendations set forth in the Staff Report, and hereby requests Commission consideration of and action upon the same at the earliest possible date. However, SWC wants to be sure that the Commission is aware that the Staff Report recommendations are predicated upon a key assumption; and, that the Commission take such assumption into account in conjunction with its decision in this matter.

More specifically, in the Purpose And Description Of The Requested Financing portion of the Staff Report, the following statement is made:

"The Company requests that the Commission authorize it to secure financing in the amount not to exceed \$4,694,523 from WIFA. However, due to an anticipated \$1,880,000 of forgivable principal, the expected repayable indebtedness is \$2,820,000." [Staff Report at page 1] [emphasis added]

Thus, and as noted above, the Staff Report assumes as a threshold predicate that the Water Infrastructure Authority of Arizona ("WIFA") loan approval of SWC's currently pending WIFA loan Application will include a principal forgiveness in the aforesaid \$1,880,000 amount under WIFA's *Supplemental 2009 ARRA Intended Use Plan*.

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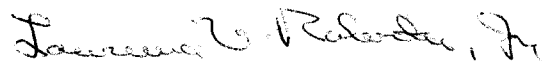
1 As of this juncture, SWC understands that that is WIFA's intent. However, it is
2 conceivable that for some as yet unforeseen reason WIFA might (i) subsequently decide to not
3 exercise its principal forgiveness authority, and (ii) concurrently determine to simply loan SWC
4 the requested \$4,694,523 from WIFA's general funds. In such event, an order from the
5 Commission authorizing SWC

6 "to incur amortizing debt in an amount not to exceed \$2,820,000
7 (the difference between the \$4.7 million requested and the \$1.88
8 million of forgivable principal) for a period of 18-to-20 years and
9 at a rate not to exceed that available from WIFA" [Staff Report
Executive Summary] [emphasis added]

10 would not provide SWC with the long-term borrowing authorization and funds needed to
11 complete the arsenic treatment facilities which are the subject of its Application in the instant
12 proceeding.

13 Accordingly, SWC suggests that the foregoing circumstance be taken into account by the
14 Commission when it considers and acts upon SWC's Application and the April 10, 2009 Staff
15 Report. SWC does not presume to advise the Commission as to how to proceed in that regard.
16 However, SWC does share the Commission's desire to access Federal "stimulus" funds available
17 from WIFA under the American Recovery and Reinvestment Act of 2009 as quickly as possible,
18 and hopes that the Commission will be able to reach a decision on this matter at its forthcoming
19 April 28-29, 2009 Open Meeting.

20 Dated this 16th day of April 2009.



22 Lawrence V. Robertson, Jr.
23 P. O. Box 1448
24 Tubac, Arizona 85646
Attorney for Sahuarita Water Company, LLC

25 Original and thirteen (13) copies of
26 the above Comments will be filed on
this same date with:

27 Docket Control
28 Arizona Corporation Commission
c/o 400 West Congress, Suite 218

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1 Tucson, Arizona 85701

2 A copy of the above Comments will
3 be mailed/emailed that same date to:

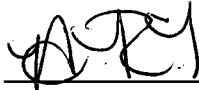
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24 
25 _____